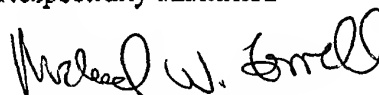


REMARKS

The parent to this application, U.S. Serial No. 09/917,048, filed July 27, 2001, was allowed and should issue in due course. A divisional application has been filed as to non-elected claims. The independent claims in this application have been amended to specify that the napkin stack is inclined. Support for the added language is found, for example, on page 14, lines 26-28 and Figures 6-8.

Respectfully submitted



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July 1, 2003

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APPENDIX A  
(clean version of Claims 1, 18, 26 and 87)

1. (Amended) A product metering napkin dispenser comprising:

- a) a napkin magazine for receiving a stack of folded napkins;
- (b) shelf means for releasably retaining said stack of folded napkins about a terminal portion of said napkin magazine;
- (c) a metering member; and
- (d) means for providing relative motion between said metering member and said shelf means,

wherein said shelf means, metering member and said means for providing relative motion between said metering member and said shelf means are configured and arranged such that said metering member penetrates said stack of napkins a predetermined distance from said shelf means in a metering operation thereby segregating a predetermined number of napkins from the remainder of said stack for dispensing and wherein the napkins are inclined with respect to a vertical.

18. (Amended) A product metering napkin dispenser comprising:

- (a) a housing defining a napkin magazine for receiving a stack of folded napkins;
- (b) a movable shutter configured for retaining said stack of folded napkins in said housing in a closed position;

- (c) a metering member configured so as to be capable of retaining said stack of folded napkins in said housing,

wherein said movable shutter and metering member are positioned, configured and dimensioned to cooperate to dispense a predetermined number of napkins in a dispensing operation whereupon:

- (i) said metering member penetrates said stack of folded napkins a predetermined distance from said movable shutter in said closed position thereby segregating said predetermined number of napkins from the remainder of napkins in said stack and thereby retaining the remainder of napkins in said stack in said housing; and

said movable shutter moves to an open position thereby releasing said predetermined number of napkins; and

- (d) wherein the napkins are inclined with respect to a vertical.

26. (Amended) A product metering napkin dispenser comprising:

- (a) a housing defining a napkin magazine for receiving a stack of folded napkins;
- (b) a movable shutter hinged to said housing for retaining said stack of folded napkins in said housing in a closed position;
- (c) a metering member pivotally mounted on said housing and coupled to said movable shutter, said metering member being configured so as to be capable of retaining said stack of folded napkins in said housing,

wherein said movable shutter and metering member are positioned, configured and dimensioned to cooperate to dispense a predetermined number of napkins in a dispensing operation whereupon pivotal motion of said metering member:

(i) said metering member penetrates said stack of folded napkins a predetermined distance from said movable shutter in said closed position thereby segregating said predetermined number of napkins from the remainder of napkins in said stack and thereby retaining the remainder of napkins in said stack in said housing; and

(ii) said hinged movable shutter swings to an open position thereby releasing said predetermined number of napkins; and

(d) wherein the napkins are inclined with respect to a vertical.

87. (Amended) A method of dispensing a predetermined number of folded napkins comprising:

(a) disposing a stack of folded napkins in a napkin magazine about a retaining member releasably retaining said stack;

(b) penetrating said stack with a metering member such that said metering member is between said predetermined number of napkins and the remainder of napkins in said stack; and

(c) providing relative motion between said retaining member and said metering member operative to dispense said predetermined number of napkins; and

(d) wherein the napkins are inclined with respect to a vertical.

APPENDIX B

(marked-up version of Claims 1, 18, 26 and 87)

1. (Amended) A product metering napkin dispenser comprising:

- a) a napkin magazine for receiving a stack of folded napkins;
- (b) shelf means for releasably retaining said stack of folded napkins about a terminal portion of said napkin magazine;
- (c) a metering member; and
- (d) means for providing relative motion between said metering member and said shelf means,

wherein said shelf means, metering member and said means for providing relative motion between said metering member and said shelf means are configured and arranged such that said metering member penetrates said stack of napkins a predetermined distance from said shelf means in a metering operation thereby segregating a predetermined number of napkins from the remainder of said stack for dispensing, and wherein the napkins are inclined with respect to a vertical.

18. (Amended) A product metering napkin dispenser comprising:

- (a) a housing defining a napkin magazine for receiving a stack of folded napkins;
- (b) a movable shutter configured for retaining said stack of folded napkins in said housing in a closed position;

- (c) a metering member configured so as to be capable of retaining said stack of folded napkins in said housing,

wherein said movable shutter and metering member are positioned, configured and dimensioned to cooperate to dispense a predetermined number of napkins in a dispensing operation whereupon:

- (i) said metering member penetrates said stack of folded napkins a predetermined distance from said movable shutter in said closed position thereby segregating said predetermined number of napkins from the remainder of napkins in said stack and thereby retaining the remainder of napkins in said stack in said housing; and

said movable shutter moves to an open position thereby releasing said predetermined number of napkins; and

- (d) wherein the napkins are inclined with respect to a vertical.

26. (Amended) A product metering napkin dispenser comprising:

- (a) a housing defining a napkin magazine for receiving a stack of folded napkins;
- (b) a movable shutter hinged to said housing for retaining said stack of folded napkins in said housing in a closed position;
- (c) a metering member pivotally mounted on said housing and coupled to said movable shutter, said metering member being configured so as to be capable of retaining said stack of folded napkins in said housing,

wherein said movable shutter and metering member are positioned, configured and dimensioned to cooperate to dispense a predetermined number of napkins in a dispensing operation whereupon pivotal motion of said metering member:

(i) said metering member penetrates said stack of folded napkins a predetermined distance from said movable shutter in said closed position thereby segregating said predetermined number of napkins from the remainder of napkins in said stack and thereby retaining the remainder of napkins in said stack in said housing; and

(ii) said hinged movable shutter swings to an open position thereby releasing said predetermined number of napkins; and

(d) wherein the napkins are inclined with respect to a vertical.

87. (Amended) A method of dispensing a predetermined number of folded napkins comprising:

- (a) disposing a stack of folded napkins in a napkin magazine about a retaining member releasably retaining said stack;
- (b) penetrating said stack with a metering member such that said metering member is between said predetermined number of napkins and the remainder of napkins in said stack; and
- (c) providing relative motion between said retaining member and said metering member operative to dispense said predetermined number of napkins; and

(d) wherein the napkins are inclined with respect to a vertical.

ANNEX A

(clean version of paragraph 1 on page 1 of specification)

Claim for Priority

This patent application is a continuation patent application of U.S. Serial No. 09/917,048, filed July 27, 2001, now United States Patent No. \_\_\_\_\_, which application was based on U.S. Provisional Patent Application Serial No. 60/274,678, filed March 9, 2001. The priorities of the foregoing applications are hereby claimed.



ANNEX B

(marked-up version of paragraph 1 on page 1 of specification)

Claim for Priority

This non-provisional application claims the benefit of the filing date of patent application is a continuation patent application of U.S. Serial No. 09/917,048, filed July 27, 2001, now United States Patent No. \_\_\_\_\_, which application was based on U.S. Provisional Patent Application Serial No. 60/274,678, filed March 9, 2001. The priorities of the foregoing applications are hereby claimed.